

So Ordered.

Dated: April 9th, 2020



Frederick P. Corbit

Frederick P. Corbit
Bankruptcy Judge

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8 **UNITED STATES BANKRUPTCY COURT**
9 **EASTERN DISTRICT OF WASHINGTON**

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In re:

GIGA WATT, Inc., a Washington
corporation,

Debtor.

Case No. 18-03197 FPC 11

The Honorable Frederick P. Corbit

**ORDER GRANTING CHAPTER 11
TRUSTEE'S MOTION FOR
APPROVAL OF SALE OF
EQUIPMENT FREE AND CLEAR
OF ALL LIENS, CLAIMS AND
INTERESTS, APPROVAL OF
NOTICE THEREOF AND RELATED
RELIEF**

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This matter came to be heard on the *Chapter 11 Trustee's Motion for Order Shortening Time on Chapter 11 Trustee's Motion for Order Shortening Time on Motion for Order Approving Sale of Equipment Free and Clear of All Liens, Claims and Interests, Approval of Notice Thereof and Related Relief* (the

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Order Approving Sale of Equipment Free and Clear of all Liens, Claims and Interests, Approval of Notice Thereof and Related Relief - Page 1

1 “Motion”)¹ on April 9, 2020 at 10:30 a.m. (the “Hearing”). The Court has
2 considered the Motion and completed the Hearing as provided for under section
3 363 of the Bankruptcy Code and Rule 6004 of the Federal Rules of Bankruptcy
4 Procedure. Based upon the Motion, the record before the Court, the testimony and
5 arguments made and heard at the Hearing and in the filings with the Court, the
6 Court stated its findings of fact and conclusions of law at the Hearing and those
7 findings of fact and conclusions of law are incorporated herein by reference as if
8 set forth fully herein as provided in Rule 7052 of the Federal Rules of Bankruptcy
9 Procedure.

10 ACCORDINGLY, IT IS HEREBY ORDERED THAT THE MOTION IS
11 GRANTED AND FURTHER ORDERED THAT

12 1. The Trustee is hereby authorized to sell the Pangborn Equipment and
13 Other Equipment, "As Is" with no warranties. The Pangborn Equipment and Other
14 Equipment which is itemized in Schedule 1 of the Sale Agreement, and attached
15 to the Motion as Exhibit B, for the sum of \$175,000.00 or more, all cash at
16 closing, to any third party buyer who is unrelated to Debtor, not connected with
17 the case and who will actually complete the sale at that price or higher, as
18 determined by the Trustee in his business judgment.

19 2. The sale of the Pangborn Equipment and Other Equipment pursuant
20 to this Order shall be free and clear of all liens, encumbrances, claims and/or

²³ ¹ Unless otherwise defined herein, capitalized terms have the meanings ascribed to them in the Motion.

1 interests in the Pangborn Equipment pursuant to section 363(f)(4) and (5) of title
2 11 of the United States Code.

3 3. The form and manner of service of the Notice of Sale is approved.

4 4. The Bidding Procedures as proposed in the Motion are approved.

5 5. The Break-Up Fee as proposed in the Motion is approved.

6 6. The 14-day stay provided by Rule 6004(h) of the Federal Rules of

7 Bankruptcy is waived with respect to the sale of the Pangborn Equipment pursuant
8 to this Order. This Order shall be valid and fully effective immediately upon its
9 entry.

10 **/// END OF ORDER ///**

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24 Order Approving Sale of Equipment Free and Clear of all Liens, Claims and
25 Interests, Approval of Notice Thereof and Related Relief - Page 3